

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY & SURETY CO. OF AMERICA,  
FEDERAL INSURANCE CO., and SAFECO INSURANCE  
CO. OF AMERICA,

*Plaintiffs,*

-against-

METROPOLITAN TRANSPORTATION AUTHORITY, MTA  
CAPITAL CONSTRUCTION CO., NEW YORK CITY  
TRANSIT AUTHORITY, and LOCKHEED MARTIN CORP.,

*Defendants.*

No. 09 Civ. 6033 (PGG)  
(consolidated with 09 Civ. 4077)

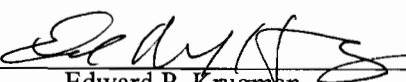
**STIPULATION AND ORDER OF  
DISCONTINUANCE WITHOUT  
PREJUDICE AS TO DEFENDANT  
LOCKHEED MARTIN CORP.**

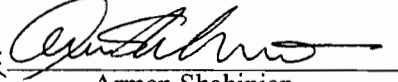
IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that the Second through Fifth Claims for Relief in the Complaint in this action, which are asserted solely against Defendant Lockheed Martin Corporation, be, and the the same hereby are, *dismissed without prejudice* and without costs. This dismissal shall not be counted for purposes of the "two dismissal rule" of Fed. R. Civ. P. 41(a)(1).

Dated: New York, New York  
April 27, 2010

CAHILL GORDON & REINDEL LLP

WOLFF & SAMSON PC

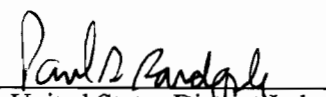
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*Special Surety Counsel for Defendant  
Lockheed Martin Corp.*

*Attorneys for Plaintiffs*

SO ORDERED:

 April 29, 2010  
United States District Judge

